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6-10-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

)

Michael H. Gilbert

) Attorney Docket No.: F-120

Serial No.: 09/728,152

) Group Art Unit: 2166

Filed: December 1, 2000

) Date: April 30, 2002

RECEIVED

JUN 06 2002

GROUP 3600

For: **METHOD AND SYSTEM FOR VERTICAL MESSAGING, BILLING AND
PAYMENT SERVICES**

INFORMATION DISCLOSURE STATEMENT

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MAY 10 2002

Technology Center 2100

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(b) exists.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

This Information Disclosure Statement is being filed in accordance with the following provisions, as identified below with marked boxes, available under 37 CFR § 1.97:

1. ☒ 37 CFR §1.97(b) - This Information Disclosure Statement is being filed according to one of the following: (i) within 3 months of the filing date of this application (other than a CPA); (ii) within 3 months of the date of entry of the national stage as set forth in § 1.491 in an international application; (iii) before the mailing of a first Office action on the merits; or (iv) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

OR

2. ☐ 37 CFR §1.97(c) - This Information Disclosure Statement is being filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the statement or fee as identified below:

2.1 ☐ Specified Statement under 37 CFR § 1.97(e)(1) - see below.

OR

2.2 ☐ Specified Statement under 37 CFR § 1.97(e)(2) - see below.

OR

2.3 ☐ Please charge Deposit Account No. **16-1885** in the amount of \$180.00 to cover the fee set forth in § 1.17(p).

**** Provisional Fee Authorization.** If Box 2.1 or Box 2.2 is marked above and a final action under § 1.113 has in fact been mailed before the filing of this Information Disclosure Statement, then the Commissioner is authorized to charge Deposit Account No. **16-1885** in the amount of \$180.00 to cover the fee set forth in § 1.17(p) as if Box 2.3 had been marked.

OR

3. ☐ 37 CFR §1.97(d) - This Information Disclosure Statement is being filed on or before payment of the issue fee and it is accompanied by the statement and fee as identified below:

3.1.1 ☐ Specified Statement under 37 CFR § 1.97(e)(1) - see below.

OR

3.1.2 ☐ Specified Statement under 37 CFR § 1.97(e)(2) - see below.

AND

3.2 ☐ Please charge Deposit Account No. **16-1885** in the amount of \$180.00 to cover the fee set forth in § 1.17(p).

Specified Statement under 37 CFR § 1.97(e)(1) - Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Specified Statement under 37 CFR § 1.97(e)(2) - No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below, after making reasonable inquiry, no item of information contained in the

information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

A list of the patent(s) and/or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of each of the items on PTO-1449 (Modified) is supplied herewith.

The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. **16-1885**.

A duplicate copy of this transmittal is enclosed for use in charging the Deposit Account.

Respectfully submitted,



Ronald Reichman

Reg. No. 26,796

Attorney of Record

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Intellectual Property and
Technology Law Department
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P.O. Box 3000
Shelton, CT 06484-8000

Plus attachments: Form PTO-1449 (Modified)
One copy of each of the references

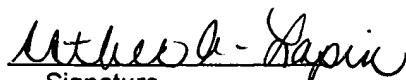
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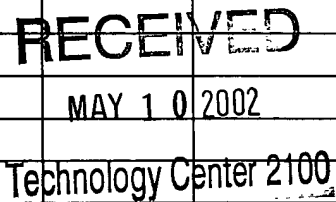

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Date

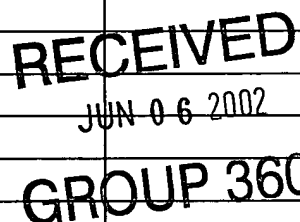
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| FORM PTO-1449 (Modified) | | | | Atty. Docket Number F-120 | | Serial No. 09/728,152 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Applicant Michael H. Gilbert | | | |
| | | | | Filing Date December 1, 2000 | | Group | |


U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|----|--------------------|-------------|-------------------------|-------|----------|-------------------------------|
| | AA | 5,457,797 | 10 Oct 1995 | Butterworth, P., et al. | 395 | 650 | 22 Mar 1995 |
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| | AC | 5,963,915 | 5 Oct 1999 | Kirsch, S. | 705 | 26 | 21 Feb 1996 |
| | AD | 6,012,035 | 4 Jan 2000 | Freeman, Jr., B., et | 705 | 2 | 13 Oct 1997 |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
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| | AI | | | | | | |
| | AJ | | | | | | |
| | AK | | | | | | |



| FOREIGN PATENT OR PUBLISHED PATENT APPLICATION DOCUMENTS | | | | | | | |
|--|----|--------------------|------|-----------------------------|-------|----------|-------------|
| | | DOCUMENT NUMBER | DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION |
| | AL | | | | | | |
| | AM | | | | | | |
| | AN | | | | | | |
| | AO | | | | | | |
| | AP | | | | | | |



| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) | |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.